

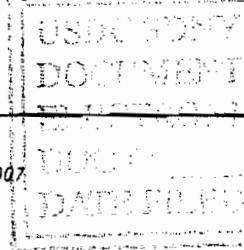


MEMO ENDORSED

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 7, 2008



By Fax

Hon. Debra Freeman
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 525
New York, New York 10007

JUL - 7 2008

Re: Eliseo DeJesus v. Astrue
08 Civ. 3428(DAB)(DCF)

Dear Judge Freeman:

This Office represents the Commissioner of Social Security, defendant in the above-referenced action.

After one extension was granted due to the delay in the preparation of the administrative record, the answer is now due on July 7, 2008. This Office has written to the plaintiff pro se and advised him that the Commissioner wanted to remand this case for further proceedings, and included a proposed stipulation to that effect. To allow plaintiff sufficient time to consider the Commissioner's offer, I respectfully request that defendant's time to answer or move with respect to the complaint be extended by thirty days, to August 11, 2008. By that date, defendant will either submit a fully executed stipulation of remand or move for a remand. Plaintiff consents to this request.

SO ORDERED:

DATE: 7/8/08

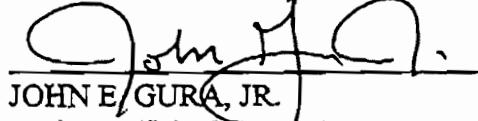
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DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


JOHN E. GURA, JR.
Assistant United States Attorney
Telephone: (212) 637-2712
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cc: Eliseo DeJesus
(By Mail)